

APPROVED: Meeting No. 35-83

ATTEST:

MAYOR AND COUNCIL  
ROCKVILLE, MARYLAND  
MEETING NO. 31-83

September 12, 1983

The Mayor and Council of Rockville, Maryland, convened in general session in the Council Chamber Rockville City Hall, Maryland at Vinson Street, Rockville, Maryland, on Monday, September 12, 1983.

PRESENT

Mayor John R. Freeland

Councilman Steve Abrams  
(arrived at 8:05 p.m.)

Councilman Douglas Duncan

Councilwoman Viola Hovsepian

Councilman John Tyner, II

The Mayor in the Chair.

In attendance: City Manager Larry Blick; City Clerk Helen Heneghan; City Attorney Paul Glasgow.

Re: City Manager's Report

Mr. Blick reported the following:

1. Reports have been received from BOCA concerning the water and attic ventilation problems at North Farm. Copies of the reports have been forwarded to the citizens association and copies will be distributed this evening to the Mayor and Council.

2. The problem in the Woodley Gardens' area with grackles and blackbirds has been alleviated.

3. The Rockville Football League opening jamboree will be held tomorrow night at Dogwood Park.

4. Studies of the curve on West Jefferson Street at Falls Road have been completed and have shown that skid resistant material should be applied. The material will be applied to the road to help with the skidding problem in bad weather.

5. The STAR brochure has been mailed out. It was completely handled this year by the citizens board which acquired its tax exemption and mail permit.

6. The Research Boulevard's storm water management pond product is complete.

Mayor Freeland commended the staff on the work that was done to relieve the bird problem in Woodley Gardens. It was done with the assistance of the State and the

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County. The neighborhood is pleased with the professional manner in which it was handled. He asked Mr. Blick to extend his appreciation.

Re: Presentation to  
Clarise Kayser

Mayor Freeland explained that this would be rescheduled because Mr. Kayser is in the hospital. The Mayor and Council joined in wishing him a speedy recovery.

Re: Appointments

Mayor Freeland made the following appointments. They were confirmed by the Council:

Traffic & Transportation Commission Chairman - Harry Regan (1 year term)

Economic Development Council - William Roberge (2 year term)

Rockville Seniors, Inc. - Bernice Grossman (reappointment) (1 year term)

Matthew McCartin (1 year term)  
633 Blossom Drive

William Miller (1 year term)  
1705 Tweed Street

Re: Proclamation -  
Constitution Week -  
September 17-23, 1983

Proclamation No. 9-83

There being no objection from the Council Mayor Freeland proceeded to issue Proclamation No. 9-83, proclaiming the week of September 17-23, 1983, as Constitution Week in Rockville. Councilwoman Hovsepian read the proclamation at the request of the Mayor in which it was urged that all citizens take this opportunity to support the constitution and enjoy what citizenship means.

Re: Citizen's Forum

The Mayor opened the meeting to those citizens who wished to address the Mayor and Council:

1. Frances T. Shea, 9 Vallingby Circle. Mrs. Shea expressed her appreciation for the Educational Task Force and the Education Commssion's report in support of Richard Montgomery High School. She thanked them for their efforts to support quality education for all children and commended their efforts. She asked the Mayor and Council to let the report stand and approve it.

2. Frank Vrataric, 2706 Sheraton Street, Wheaton. Mr. Vrataric addressed the Council concerning the Inter-County Connector and said there are many problems with the report. Double counting has been done on particular streets. The COST group supports alternate A which is the no-build alternative. He said there is no need for

a Cross-County Connector at all. The Mayor and Council thanked Mr. Vratatic for these materials he had given.

3. Terry Gans, 404 Greenpasture Drive, President of the North Farms Citizens Association. Mr. Gans, speaking for the neighborhood, said there are a number of concerns with the construction of a Rockville Facility along with the Inter-County Connector. He asked the Mayor and Council to strongly oppose alternative efforts which include the Rockville Facility. Councilman Tyner asked if the neighborhood has any comment on alternative A or the C/D/E. Mr. Gans said it is evident that some east to west link is necessary and Montrose/Randolph may be it. It would seem to him that alternative C/D/E is a stop-gap approach. The Mayor and Council thanked Mr. Gans for his comments.

4. Mr. Irwin Cohen, 13 Hardwicke Place. Mr. Cohen told the Council that there has been a break down in the democratic process in the City. The planned residential unit on the Carter property adjacent to Rockshire was approved by the neighborhood with three concerns addressed: setback, drainage and screening. The plan was approved and has been changed without any notification to the neighborhood and much larger homes are being built. The Mayor asked the City Manager for a full report by next week and asked that information copies be sent to Mr. Cohen.

5. Phyllis Marcuccio, 406 South Horners Lane, Vice-Chairman of the Housing Authority. Mrs. Marcuccio told the Council that a resolution of inducement to allow the issuance of \$10,300,000 bonds for the Summit Apartments has been passed by the Housing Authority. She complimented the Mayor and Council on bringing all parties together. The Mayor expressed the pleasure of the Council at having something tangible now. The City Manager announced a public hearing will be held by the Housing Authority in the Council Chamber on September 27.

6. Russell Brown, Congressional Lane. Mr. Brown told the Council that the Cable Television situation in Montgomery County needs to be addressed. He listed his concerns and referred to the news release that was issued today saying the County Council will be establishing a committee similar to the two already constituted by the Executive. He noted the letter being sent to the County Executive from the Mayor and Council this evening should be made stronger. Locating the television studios in the Mall is not only good for the Mall but in the best interest of the people of the City to have it very close to the seat of government. He urged the Mayor and Council to work to have the City's representatives in leadership positions since it is such a large committee and in addition to the letter, the Council should talk to the Count, in person.

7. Dottie Thoms, 2 Eton Overlook. Mrs. Thoms brought to the Council's attention the changes that were made in the Carter Planned Residential Unit that was done by the staff with no notification to the neighbors. She said there was to be originally a 40 foot setback and it is now 25. The City's Planning Department is doing an incomplete job. They also approved a brick wall on Ridgfield Court with no notifications to the neighborhood. It cut off access to the pool allowing no handicapped access at all. She asked that the Mayor and Council work to revise the Planning Department's policies. The Mayor said the information has been requested from the City Manager and once received he will get back to the neighborhood.

8. Susan Bricker, 806 Carter Road, Co-President of Beall Elementary PTA. She spoke to the Council in favor of maintaining the boundaries that exist for Beall Elementary School in order to keep the school system strong.

9. Elaine Goldberg, 719 Harrington Road, Chairman of the Advisory Commission on Public Education. She asked that the letter in the Council's briefbook tonight that refers to the Orchard Ridge subdivision be amended to include the Freeman Tract.

There being no other citizen wishing to be heard, the Mayor closed the citizen's forum portion of the meeting.

Re: Public Hearing:  
Annexation Petition,  
X-86-83, Cromwell-  
Betts, requesting the  
Mayor & Council  
approve the annexa-  
tion of 2 acres of  
land at Evergreen  
Lane, Rockville, Md.,  
and the classifica-  
tion of the property  
as R-S, Residential  
Zone

The Mayor and Council conducted a public hearing in connection with Annexation Petition, X-86-83, and heard those persons as will be found in the official stenographic transcript of the hearing. There being no other citizen wishing to be heard, the Mayor closed the hearing with the record to be held open for 2 weeks.

Re: Public Hearing:  
SL-1-83, Burgundy  
Park Associates,  
Applicant, requesting  
expanded uses for a  
within and without  
the corporate limits  
of the City at  
Burgundy Park Center  
at the intersection  
of Gude Drive

The Mayor and Council of Rockville, conducted a public hearing on Split Lot Application, SL-1-83, Burgundy Park Associates, Applicant, and heard those persons as

will be found in the official stenographic transcript of the hearing. There being no other citizen wishing to be heard, the Mayor closed the hearing with the record to be held open for 2 weeks.

Re: Public Hearing:  
Proposed Ordinance  
to amend Chapter 6  
of the Laws of  
Rockville, Zoning  
and Planning, by  
enacting new require-  
ments for signs  
within the City of  
Rockville

The Mayor and Council of Rockville, conducted a public hearing on a proposed ordinance to amend Chapter 6 of the Zoning and Planning Ordinance, and heard those persons as will be found in the official stenographic transcript of the hearing. There being no other person wishing to be heard, the Mayor closed the hearing with the record to be held open for 30 days.

Re: Review of Recommenda-  
tions for Annual  
Update of Board of  
Education - 15 Year  
Plan

Councilman Duncan moved approval of the letter to the Board of Education requesting no change in the boundary. The motion was seconded by Councilman Tyner. Councilwoman Hovsepien noted for the audience that this matter has been discussed several times before by the Council but is only being formalized this evening. Councilman Abrams said he has a number of questions. He is not opposed to the concepts but he feels there could be an inconsistency in stressing that there be no boundary changes since some time in the future in order to save Richard Montgomery it may be necessary to amend the boundaries. He thought it was the Council's position to remain neutral when a dispute is between Rockville schools. A suit was filed to protect the City's interest and it might be necessary to urge the enhancement of Richard Montgomery in some other way. Councilman Duncan said steps are being taken now to make Richard Montgomery more attractive but the situation demands answers right at this time according to the latitude the suit allows the City. Councilman Tyner noted that Councilman Abrams has a valid point. Councilman Abrams said it would seem the issue is not particularly boundaries but the issue is Richard Montgomery. The easy thing to do would be to support the letter but he urges an approach that may be more difficult for the Council to take due to the possibility the City will have to become involved financially at Richard Montgomery as will the business sector. Councilwoman Hovsepien disagreed and said Richard Montgomery is not just the issue

but Beall and Twinbrook elementary schools are also an issue. There is a possibility that the Newsletter could be used to further educational advantages of the City, but since this evening's question is commentary on the 15-Year Plan, that is what the Mayor and Council is doing, just commenting. She has no problem with any follow through that Councilman Abrams might suggest to enhance Richard Montgomery in the future. Mayor Freeland agreed that Councilman Abrams' points are good for the long haul but the School Board is looking to the City for comment in the instant matter. Since the question is boundaries the City should state how it feels on boundaries. When the question is Richard Montgomery, the City will look to it as an ideal place to preserve quality education. The City may in the future opt to contribute to it financially, but at this point in time the letter fills the block along the way. The Mayor would agree to go with stronger language on the boundaries and send a letter of intent on the work the City plans to do for Richard Montgomery. Councilman Tyner indicated his changes that would make the language stronger. Councilman Abrams again mentioned his opposition to the letter. Mayor Freeland suggested that the Public Education Commission structure a public hearing on what the citizens feel the City's role is in education and on the magnet school concept and on upgrading the educational level. The Commission then could formulate its recommendations to the Mayor and Council. Councilman Duncan asked about Twinbrook Elementary School and some changes that were brought to his attention. Mr. Hobbs suggested that the Mayor and Council not include Twinbrook Elementary School in this letter since all of the data is not in but that the Council address Twinbrook at a later time.

Councilman Duncan's motion passed with only Councilman Abrams dissenting.

Re: Review of Testimony  
on Rockville Facility  
Inter-County  
Connector

Councilman Tyner requested that the Mayor and Council postpone action until September 19. He does not feel this is strictly a planning decision but more a political one. There does not seem to be any support from the citizens for these facilities and there are significant inconsistencies in the report. Since it is a very complex issue, he went on to address all of the points brought forward and asked that the Council be given further time to study the reports brought forward this evening by the COST organization. Although the staff has recommended that the Mayor and Council approve Alternative C/D/E, it is Councilman Tyner's feeling that if the Mayor and Council do not agree to a postponement, they should approve Alternative A which is "no build". Councilman Abrams said the Transportation Planning Board at COG feels eventually there will be an east-west route on other land

possibly north of Gaithersburg, so he too would go along with Alternative A. Councilwoman Hovsepian said she would rather postpone it. Councilman Duncan said he would go along with the postponement. Mayor Freeland said that can be the only item of business at next week's work session since the Council agree to postponement.

Re: Introduction of  
Ordinance: To grant  
Street Closing Appli-  
cation, SCA-45-83  
Alley south of  
Middle Lane

On motion of Councilwoman Hovsepian, there was introduced upon the table an ordinance to approve Street Closing and Abandonment Application, SCA-45-83, abandoning an alley south of Middle Lane, said ordinance to lay over one week before final action is taken.

Re: Introduction of  
Ordinance: To grant  
Street Closing Appli-  
cation, SCA-44-83,  
Cairo Street

On motion of Councilman Abrams, there was introduced upon the table an ordinance to approve Street Closing and Abandonment Application, SCA-44-83, abandoning a portion of Cairo Street, said ordinance to lay over one week before final action is taken.

Re: Request for Waiver of  
On-site Storm Water  
Management, Mid-City,  
Parcel 4A

This site is located at the corner of Jefferson Street and Rockville Pike and it is the property owned by Mayor and Council, recently negotiated for purchase by Lowell Baier, Baier Properties, Rockville, Maryland. It is in the Cabin John drainage area and is located approximately 1,000 feet from the existing Mount Vernon Place storm water management facility.

Runoff from this property flows through existing inlets on East Jefferson Street and is conveyed by existing drainage facilities to the Mount Vernon Place facility.

Mr. Baier has requested a waiver because existing storm drain facilities located in the vicinity of the proposed construction are all too shallow to allow underground storage facilities to be discharged by gravity, leaving pumping as the only means of control. Rooftop storage or small on-site storm water management facilities are other alternatives. However, rooftop storage, because of numerous failures, has been unacceptable in Rockville for a number of years; and small SWM facilities are subject to frequent failure and require constant maintenance (historically, inadequately

provided). Pumping of storm water is an unsatisfactory method of control because of high capital cost, high maintenance cost, and high energy consumption. It is definitely in the City's best interest to accede to the developer's request to divert the storm water to the nearby existing SWM facility, rather than to encourage detention on-site.

Considering the above, it is recommended that the on-site SWM requirements be waived and a contribution of \$24,000 (\$12,000 x 2.00 gross acres) be accepted toward the public SWM program, subject to concurrence by the Montgomery Soil Conservation District.

On motion of Councilman Tyner, duly seconded and unanimously passed, the waiver was approved.

Re: Request for Waiver  
of On-site Storm  
Water Management,  
422 Reading Avenue

This vacant single-family residential site located at 422 Reading Avenue drains toward the Maryvale Park SWM facilities in the Rock Creek drainage area.

The developers proposed on-site SWM by installing 12' x 20' x 3' deep stone chambers enveloped in filter fabric beneath the front and rear yards. The developer has pointed out that with roof drains connected to these chambers, the system would help direct the run-off into the ground near where it hits. Staff believes that as long as this type system does not get clogged with leaves and other debris, the system can work well in the soils located at this site.

However, the experience of the City is that those same soils that permit the infiltration also are more likely to cause basement problems on his lot and neighboring lots, that in order to have an on-site private SWM facility there would have to be a written inspection and maintenance agreement including an easement for perpetual access for inspection and maintenance and all recorded in the County Land Records; that structures such as these usually require replacement when any maintenance is required; and that it is unrealistic to believe that leaves and other debris could be kept out of such a system.

Further, not only is additional run-off generated by the proposed development very small (less than 1 cu. ft. per second) but also there is an enclosed storm drain nearby which leads to regional SWM facility in the Maryvale Park.

Contribution toward the public off-site SWM program for this site would be \$464 (0.23 gross acres at \$2,017 per acre).

The committee recommends that the Mayor and Council grant the waiver and accept the contribution of \$464. Concurrence with this action by the Montgomery Soil Conservation District would be expected.

Mr. Blick told the Council that he thinks the objectives of the storm water management ordinance may conflict with the affordable housing policies being developed by the Housing Policy Task Force so he recommends that the Mayor and Council approve this waiver but refer the matter to the Housing Policy Task Force for their review and comment. Councilman Tyner asked the City Manager why he makes this recommendation. The City Manager said the cost of storm water management may be a detriment to affordable housing. It was the feeling of the Council that the storm water management is necessary.

On motion of Councilman Duncan, duly seconded and unanimously passed, the waiver of on-site Storm Water Management for 422 Reading was approved and the contribution of \$464 was accepted.

Re: Award of Contract  
Bid No. 1-84, Street  
Lights, N. Washington  
Street

Bids were opened at 3:00 p.m. Tuesday, August 23, 1983, in the Mayor and Council Chambers. The bid covers various items of work under two separate projects. The bidding document specified the City's intent to award the bid on the basis of low bidder of each project.

The projects are: Project 1, Street Maintenance Contract and Project 2, Park Road Sidewalk.

Sixteen firms requested bid documents and, of that number, eight bids were received as follows:

	Project 1	Project 2
Concrete General, Inc., Gaithersburg, Maryland	\$181,960.00*	5,335.00
Santa Fe Construction Co., Inc., Washington, DC	203,250.00	7,678.75
Nazario Construction Co., Inc., Beltsville, MD	221,615.00	6,835.00
F.O. Day Company, Inc., Rockville, MD	227,260.00	10,285.00
John McMahon Construction Co., Laurel, MD	228,940.00	No Bid
Pessoa Construction Co., Bladensburg, MD	230,932.50	6,985.00
J. Palmeiro Construction, Inc., Rockville, MD	239,750.00	<u>5,185.00</u>
Spargo Brothers Construction, Brandywine, MD	323,284.50	6,265.00
Estimate	\$216,000.00	\$6,985.00

\*Low Bid is based on contract quantities and unit prices, the staff's recommendation is to use the full budget appropriation of \$216,000.

It is recommended that the Mayor and Council award the contract to the two low bidders as follows:

Project 1.

Award to Concrete General, Incorporated in the amount of the budget appropriation of \$216,000.

Project 2.

Award to Palmeiro Construction, Incorporated in the amount of their bid of \$5,185.00.

On motion of Councilman Tyner, duly seconded and unanimously passed, the Bid No. 10-84 was awarded to Concrete General in the amount of \$216,000.00 for Project 1 and J. Palmeiro Construction, Inc., in the amount of \$5,185.00 for Project 2.

Re: Award of Contract:  
Bid No. 16-84, Flint  
Ledge Estates, Water  
and Sewer

Bids were opened on Friday, September 2, 1983, at 3:30 p.m. in the City Hall Council Chambers for the installation of water and sewer mains and house services for Flint Ledge Estates subdivision, formerly the Carter property. This project will serve 32 townhouses and 32 single family homes and was authorized by the Mayor and Council as a special assessment project on January 31, 1983.

Seven bids were picks up by contractors and two were received as follows:

Calcon Company, Inc., Gaithersburg, Maryland	\$190,680.00
Rapp Contracting, Inc., Beltsville, Maryland	\$228,047.50
Engineer's Estimate	\$161,800.00

Although the prices proposed by the low bidder, Calcon Company, Inc., are higher than the Engineer's Estimate, the resultant special assessment charges to be levied against the benefitting properties will not exceed an acceptable amount and will be comparable to similar recent assessments. The higher prices are due to the present market conditions. This project was well advertised both in the newspaper and in direct mailing and yet only two bids were received.

The staff's conclusion is that a rebid would probably not result in lower prices. Local sewer and water construction is at its highest peak in recent years, and the result is reflected by the low number of bidders. This lack of competition results in the higher prices the City has received recently.

This contractor is experienced in this type of work and has previously performed similar construction in a satisfactory manner for both the City of Rockville and the Washington Suburban Sanitary Commission.

Staff recommends the award of Bid No. 16-84 to the low bidder, Calcon Company, Inc., in the amount of their bid of \$190,680.00

Councilman Tyner asked how long this bid stands and since this is the project referred to during citizen's forum this evening he asked if the setback were increased, would the price be altered. Mr. Davis, the Planning Director, told the Mayor and Council that all the steps were taken by his department to meet the notification criteria. The Mayor said he hoped that had been done since at the time the project was approved by the Mayor and Council, strong statements were made to the affect that the neighborhood should be included. Mr. Davis assured the Mayor that it was all done correctly. It was the consensus of the Council that this award should be postponed until the next meeting to await the full report on the setback of the homes.

Re: Review and Approval  
of Memoranda for  
Sister City  
Activities

Submitted to the Council this evening was a memoranda entitled general procedures for the handling of visitors to and from Pinneberg, Germany, and a policy on payment reimbursement of costs for Sister Cities Activities. The memoranda were reviewed and approved by the Sister City Task Force on August 1, 1983, and are forwarded to the Mayor and Council for their review, approval and issue. Councilman Abrams asked if there was a previous policy of travel expenses being paid for volunteers. The City Manager noted that this is decided on a case by case basis; however, if funds are going to be spent it will be necessary for the task force to begin formulating a budget and setting priorities. They will go through a goal setting procedure to ascertain what they hope to accomplish. Councilwoman Hovsepien noted that with the official delegation coming in October, there are many plans that have been made. She outlined some of them for the benefit of the Council.

On motion of Councilman Duncan, duly seconded and unanimously passed, the Mayor and Council approved the Memoranda.

Re: Recommendation of the  
Housing Task Force -  
Maryvale site  
development

On May 3, 1983, a request for proposals for the development of the former Maryvale School site as affordable housing was offered for consideration by interested developers. The RFP was advertised in local newspapers and through an extensive mailing to firms which had expressed interest in the past and to firms on the Montgomery County Median Price Dwelling Unit (MPDU) list. A pre-proposal

conference was subsequently held on May 20, 1983, to answer any questions potential developers might have on the project. At that time, it was emphasized that the primary goals of the project were threefold:

1. Affordable housing;
2. Innovative design and/or technique;
3. To recoup the money spent acquiring the property.

Four proposals were received on July 1, 1983, the proposal deadline date. Those firms submitted proposals and a brief summary of their proposals is as follows:

1. Knott Limited, Inc. - Did not address the parameters of the RFP, but proposed a planning process involving City, County, community, and the Housing Policy Task Force in order to prepare alternate development schemes.
2. Impara and Wire - Proposed the purchase of the property for \$101,000 in order to develop four clusters of fourplex units (16 total) with a projected price in the upper \$60,000 range. Also submitted an alternate proposal to develop the site as nine (9) single family.
3. Mathews Company - Proposed the purchase of the property for \$100,000 in order to develop twenty-two (22) "back to back" townhouses with a projected sale price of approximately \$75,000.
4. Holly Construction Company - Proposed the purchase of the property for \$30,000 in order to develop twelve (12) conventional townhouses and eight (8) "back to back" townhouses with a projected sale price ranging from \$62,500 to \$70,000. The proposal also requested assistance from the City in providing or financing water and sewer connection and installation costs.

Since the Impara and Wire proposal best met the criteria of the Request for Proposals, it was recommended that they be selected tentatively as the developer for the Maryvale Site. Staff and the tentative developer should undertake a three week period of negotiations in order to develop terms and conditions which best meet the previously described goals. Prior to completing negotiations, it was suggested that the developer meet jointly with the Task Force and the East Rockville community in order to obtain first hand experience of their concerns and goals. Staff should then submit the results of the negotiations to the Mayor and Council for approval.

On motion of Councilman Duncan, duly seconded and unanimously passed, preliminary approval was given to the Impara and Wire Company with the idea that they would enter into negotiations with the staff in order to keep the prices of the homes low. Councilwoman Hovsepian asked that these negotiations include meetings with the citizens.

Re: Execution of  
Franchise Agreement  
with Montgomery County  
for cable television

A letter has been drafted for Mayor and Council approval to the County Executive

indicating the City's willingness to sign the amended franchise agreement. Mayor .he Freeland noted that it will be necessary for the Mayor and Council to deal with the County's elected officials and explain the City's interests. He suggested the Mayor and Council go forward at this time but keep in touch with the Maryland Municipal League County Chapter. Councilman Tyner suggested some modification in the language.

On motion of Councilman Duncan, duly seconded and unanimously passed, approval was given to the letter.

Re: Decisions and Instructions  
to staff re Street  
Closing and Abandonment  
Application, SCA-42-83  
Ritchie Parkway abandon-  
ment, Lerch, Applicant

Councilwoman Hovsepian moved, duly seconded, that the application be denied and the staff be instructed to prepare the legal documentation. Mr. Davis, the Director of Planning, introduced Mr. Harry Lerch, the applicant, and asked that he be allowed to give a presentation to the Council. Mr. Lerch requested approval from the Mayor and Council for a limited abandonment or abandonment at a future date or conditionally. Councilman Tyner said he is concerned that two months ago the studies were incomplete. He asked if the staff's recommendation is the same. Mr. Davis said the Mayor and Council should go with the Master Plan. The City Manager requested that the Mayor and Council not approve the abandonment but go along with the staff's recommendation. Councilman Tyner said although Mr. Lerch had asked for a delay, he feels a year is too long, but he would not mind waiting a short time. Mr. Davis explained the benefit to the applicant and the cost savings in a postponement, but the Mayor and Council has operated under a policy of anti-abandonment for some time. Mr. Lerch addressed the Council at length requesting approval or conditional approval. Councilman Tyner moved to amend the motion to express approval but his motion was declared out of order. Councilwoman Hovsepian's motion failed with only Councilwoman Hovsepian voting aye and Councilman Abrams abstaining, and Mayor Freeland and Councilmembers Tyner and Duncan voting nay.

Councilman Tyner moved, duly seconded, that a decision be postponed for six months and that the City Attorney draft the legal documentation to allow this. The motion passed, only Councilwoman Hovsepian dissenting.

Re: Correspondence

The Mayor and Council noted the following items of correspondence:

1. William Miller, re disposition agreement

## 2. David Brown, re tree problem

Councilwoman Hovsepian said she hopes something is being done. The City Manager explained that when the staff responded to this complaint a message had been left which the owner did not receive.

## 3. Senior Associates, re Civic Center public phone

Councilwoman Hovsepian asked the status. The City Manager said the C&P Telephone Company is visiting the site to determine the need.

## 4. H. D. Saah, re problems with recreation trip

Councilwoman Hovsepian asked if there is any need to place an ad in the Advertiser for the City trips and if so, more information should be given. The City Manager said the staff is looking into the whole questions of trips.

## 5. Michael Redgrave, RBBA, re Awards Night

## 6. Rockville Business and Professional Women, re Veirs Mill Road overgrowth

## 7. Maryland Department of Economic Development re IPA service

## 8. Marguerite Hartman, re protest of Argyle Street partial closure

## 9. Letters re Interconnector

## 10. University of Arkansas, re goals process

Councilman Tyner asked if he could have a copy of the response when it is sent.

## 11. Jan Brown, re resignation

## 12. Citizen complaints and responses

## 13. American Legion, invitation to Americanism Night 9/14

## 14. R. J. Cunitz, re Gude Drive traffic

Councilwoman Hovsepian asked when this road would be completed. The City Manager said in 1986.

## 15. St. Luke's House, re general information

## 16. Commander, Henderson/Smith, American Legion, re Vietnam Memorial

Councilwoman Hovsepian asked where the Vietnam Memorial plaque is. The City Manager said he did not know. Mr. Hovsepian said the only plaque is one to World War II veterans.

## 17. Emma Preisendorfer, re resignation

## 18. Maryland Department of Transportation, re meeting schedule (10/13-Montgomery)

## Re: Information Items

## 1. Information on Bottle Bill

The Mayor asked what is the Council's pleasure. He said he will entertain a resolution to support a state-wide bill. The staff was asked to draft one.

## 2. Senior Center Newsletter

## 3. Memo from PIO re after hours answering system

Councilwoman Hovsepian said this is a good idea.

## 4. Memo from Recreation Department re Maryland's 350th Anniversary

5. Staff report on Energy Conference  
Councilman Tyner said he is pleased to see this information.
6. City Manager's letter to Montgomery College re cooperative ventures
7. Status of Hungerford/Stoneridge Neighborhood Plan
8. Letter from County Executive re Motor Vehicle Repair Law enforcement
9. Information on shopping center inspection
10. Information from City Attorney re suits
11. Information on Falls Road interchange
12. Letter re City/County cooperation on pools
13. Information on Falls Road interchange

Councilwoman Hovsepian asked if this could be moved forward. The Mayor said he does not see how. Councilman Abrams suggested that steps be charted out chronologically to see if any of them can be moved forward.

14. Memo from CDHA (8/11) re convenience stores

Councilwoman Hovsepian noted the number of calls to the police. The Mayor suggested that the staff come up with a recommendation on a charge for this type of thing.

15. Memo re RHA ombudsman

Councilman Tyner volunteered to serve as the Council's representative.

16. Memo from L&I re CDBC second timers

Councilman Tyner said he is pleased to see that this program is working.

17. Artery update

18. Memo from Police Department re Elwood Smith Park

Re: New Business

1. Councilman Duncan asked that the resolution on the state wide bottle bill be before the Council at the next meeting.

2. Councilman Duncan said the Chatham band concert was recently featured on the network news.

3. Councilwoman Hovsepian suggested that when people apply for Boards and Commissions they be invited to the next meeting of that board or commission. A letter should be sent to them expressing that invitation. The Mayor agreed to this suggestion.

4. Councilman Tyner said he would like some information on the status of the Congressional School building. It has come to his attention that the Hebrew Academy is anxious to be able to use it.

Re: Adjournment

There being no further business to come before the Mayor and Council in general session the meeting was adjourned at 1:15 a.m. to convene again in general session on Monday, September 19, 1983, in work session, or at the call of the Mayor.